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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

VIDEX, INC.,

Plaintiff,

v.

TRITEQ LOCK AND SECURITY, LLC,
ROYAL VENDORS, INC., CRANE
MERCHANDISING SYSTEMS, INC., dba
DIXIE-NARCO, INC., and
SANDENVENDO AMERICA, INC.,

Defendants.

Case No. 6:11-CV-06384-AA

**JOINT MOTION AND
STIPULATION TO STAY PENDING
RESOLUTION OF
REEXAMINATION OF U.S. PAT. NO.
6,564,600**

1. WHEREAS, on April 1, 2013, the United States Patent and Trademark Office (“USPTO”) ordered the *ex parte* reexamination (Serial No. 90/012,763) of claims 1, 2, 4, 6, 7, and 10-14 of U.S. Patent No. 6,564,600 (“the ‘600 patent” or “patent-in-suit”) pursuant to an *ex parte* request for reexamination filed by Defendant TriTeq Lock and Security, LLC (“TriTeq”);

2. WHEREAS, the aforementioned claims of the ‘600 patent subject to reexamination by the USPTO are the same claims presently asserted by Videx against Defendants in this litigation;

3. WHEREAS, now that the USPTO has issued a decision granting the aforementioned *ex parte* reexamination on all presently asserted claims of the ‘600 patent, the parties agree and stipulate that said reexamination may simplify and/or narrow the issues raised in this case;

4. WHEREAS, counsel for Plaintiff Videx, Inc. (“Plaintiff” or “Videx”) and Defendants TriTeq, Royal Vendors, Inc., Crane Merchandising Systems, Inc., and Sandenvendo America, Inc. (collectively, the “Defendants”) have therefore met and conferred regarding the status of this case and agree that a stay is appropriate in view of the USPTO’s aforementioned grant of reexamination of the ‘600 patent;

5. WHEREAS, the parties stipulate and agree to stay the current litigation and that all hearings and deadlines be taken off calendar until final exhaustion of the aforementioned *ex parte* reexamination proceeding, including any appeals, of the ‘600 patent;

6. WHEREAS, this Court has previously issued an Order (Dkt. No. 101) modifying the case schedule in this matter setting June 28, 2013 as the deadline for fact discovery, August 30, 2013 as the deadline for parties to complete expert discovery, September 9, 2013 as the

deadline for parties to confer and file a Joint Alternate Dispute Resolution Report, and September 27, 2013 as the deadline for the parties to file dispositive motions.

7. WHEREAS, the requested stay would have minimal impact on the case schedule—no trial date has been set and there are no other Court deadlines other than those listed above in ¶ 4;

8. WHEREAS, the requested stay would further interests of judicial economy and conservation of the parties' and the Court's resources;

9. WHEREAS, Videx agrees to submit to this Court a reexamination status report within thirty (30) days after final exhaustion of the aforementioned *ex parte* reexamination proceeding, including any appeals, of the '600 patent;

10. WHEREAS, in consideration of the foregoing factors and stipulations, the parties respectfully move this Court to stay all proceedings in this Case No. 6:11-CV-6384-AA until the aforementioned *ex parte* reexamination proceeding (Serial No. 90/012,763), including any appeals, of the '600 patent is complete;

11. NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the Plaintiff and the Defendants through their respective counsel, subject to the approval of the Court, that all proceedings before the Court in this Case No. 6:11-CV-6384-AA be stayed until the aforementioned *ex parte* reexamination proceeding (Serial No. 90/012,763), including any appeals, of the '600 patent is complete.

Dated: April 15, 2013.

Respectfully submitted,

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Dated: April 15, 2013.

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